

**REMARKS**

Claims 15-31 are pending in this application. By this Amendment, claims 15-18, 20-25 and 27 are amended, and new claims 29-31 are added. Support for amendments to independent claims 15, 18 and 27 can be found in page 6, lines 16-28, page 15, lines 2-4, and Fig. 16 and the corresponding description in the specification. Claims 16, 17 and 20-25 are amended for form. Support for new claims 29-31 can be found in, for example, original claim 1, Fig. 16, and the corresponding description in the specification, and page 17, lines 22-24, and page 18, lines 11-13. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiners Marini and Yan in the June 20, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

**I. The Claims Define Patentable Subject Matter**

**A. §102(b) Rejection Over Claims 15-20, 22, 24 and 26-28**

Claims 15-20, 22, 24 and 26-28 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,768,675 to Estabrooks ("Estabrooks"). This rejection is respectfully traversed.

Estabrooks does not teach or suggest "a sensor that determines at least one of a type of the tape-like object and a thickness of the tape-like object," as recited in independent claim 15, and as similarly recited in independent claims 18 and 27. Further, Estabrooks does not teach or suggest "a controller which controls at least one of revolving speed, revolving time and revolving timing of the ejection roller in ejecting the tape-like object depending on the determination by the sensor," as recited in independent claim 15 (emphasis added). Similarly, Estabrooks does not disclose "a controller which executes driving control of the ejection

roller in ejecting the tape-like object which has been cut off, depending on the determination by the sensor," as recited in independent claim 18, and as similarly recited in independent claim 27 (emphasis added).

Estabrooks does not disclose a sensor that determines at least one of a type of the tape-like object and a thickness of the tape-like object.

Further, Estabrooks does not disclose or suggest that the fuser/ejector rollers (39, 41 in Fig. 17) in the device are controlled to operate at different speeds, revolution times etc., based on information about the tape-like object (size, type, etc.) that is determined by a sensor. As stated in col. 10 of Estabrooks, when the ticket length is variable, the "process length" (printing length + margins) of a unit is determined, and a controller computes a desired ticket length, so that the knife unit knows when to activate. See, col. 10, lines 43-52 of Estabrooks. Estabrooks does not describe any relationship between a determination by a sensor and the control of the ejector rollers. Estabrooks merely teaches that the ejector rollers should preferably operate at the same speed as the paper feed;. See, col. 7, lines 54-56 of Estabrooks. Moreover, Estabrooks does not remotely suggest that the revolving speed, revolving time, and/or revolving timing of the ejector rollers are controlled depending on a determination by a sensor. Thus, for at least these reasons, Estabrooks does not disclose the claimed sensor and controller.

It is well established that a claim is anticipated only if each and every claimed element is described, either expressly or inherently, in a single prior art reference. See, MPEP § 2131. Estabrooks fails to disclose at least the sensor and controller recited in independent claims 15, 18 and 27. Thus, for at least these reasons, claims 15, 18 and 27 are patentable over Estabrooks. Further, claims 16, 17, 19, 20, 22-24, 26, and 28, which depend from one of independent claims 15, 18 and 27, are patentable over Estabrooks for at least the reasons enumerated above, as well as for the additional features they recite.

For example, claim 19 additionally recites that the "type of the tape-like object includes at least one selected from shape, material and laminate structure of the tape-like object." Referring back to independent claim 18, claim 19 embodies a device where information about the shape, material and/or laminate structure of the tape-like object is used to control the ejection roller. This feature is also not suggested by the "process length" disclosure cited by the Examiner in col. 10 of Estabrooks. Thus, for at least these reasons, claim 19 is patentable over Estabrooks.

Withdrawal of the rejection is thus respectfully requested.

**B. §103(a) Rejection Over Claims 21 and 25**

Claim 21 under 35 U.S.C. §103(a) as being unpatentable over Estabrooks in view of U.S. Patent No. 5,855,441 to Kano ("Kano"); and claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over Estabrooks in view of U.S. Patent No. 6,408,750 to Goto et al. ("Goto"). These rejections are respectfully traversed.

Estabrooks, Kano and Goto, alone or in a permissible combination do not teach or suggest the features of claims 21 and 25, which depend from claim 18. Kano and Goto do not remedy the above-described deficiencies of Estabrooks.

The Office Action asserts that Kano discloses a cassette identification sensor which identifies the type of cassette attached. The Office Action further asserts that one of the ordinary skill in the art would have been motivated to incorporate the alleged teaching of Kano into Estabrooks because it would allow the ability to store different print formats depending on the type of cassette used without user input. However, there is not adequate motivation to combine the sensor of the Kano into Estabrooks, because the device in Estabrooks does not describe any controller mechanism that requires information about the tape-like object, or the feeding length at the point where the tape-like object is cut off (as discussed above).

Further, Goto is merely cited by the Office Action for its alleged teaching of a rotary that counts the number of rotations a roller makes. However, there is not adequate motivation to combine the alleged teaching of the Goto into Estabrooks, because the device in Estabrooks does not describe any controller mechanism that requires information about the tape-like object, or the feeding length at the point where the tape-like object is cut off (as discussed above).

Moreover, neither Kano nor Goto discloses a "controller which controls at least one of revolving speed, revolving time and revolving timing of the ejection roller in ejecting the tape-like object depending on the determination by the sensor," as recited in independent claim 15, and as similarly recited in independent claims 18 and 27.

Thus, claims 21 and 25 are patentable over Estabrooks, Kano and Goto, for at least the reasons enumerated above, as well as for the additional features they recite. Withdrawal of the rejection is thus respectfully requested.

#### **IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Randi B. Isaacs  
Registration No. 56,046

JAO:RBI/hs

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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